

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ANTHONY HARRIS and FRANCAL
JACKSON,

Case No. 17-CV-0392 (MJD/SER)

Plaintiffs,

ORDER

v.

MAPLEWOOD POLICE
DEPARTMENT; JOHN DOE,
Arresting Officers described in this
Complaint; MAPLEWOOD, MN
MENARDS; and JANE AND JIM
DOE, Employees Responsible for
Jointly Participating in Arrest,

Defendants.

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. Plaintiff Anthony Jackson, in response to the Report and Recommendation, submitted a copy of his trust fund account. However, Plaintiff Francal Jackson failed to submit any financial information.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court will ADOPT in part the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS IN PART** the Report and Recommendation of United States Magistrate Judge Steven E. Rau dated March 28, 2017 [Docket No. 8] as follows: the Court **ADOPTS** the Report and Recommendation as to Plaintiff Francal Jackson and **DECLINES TO ADOPT** the Report and Recommendation as to Plaintiff Anthony Harris.
2. The claims of Plaintiff Francal Jackson are **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.
3. The claims of Plaintiff Anthony Jackson remain and will proceed to screening pursuant to 28 U.S.C. § 1915A.

Dated: April 20, 2017

s/ Michael J. Davis

Michael J. Davis

United States District Court